

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the fifth day of April 2006, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman  
Rebecca Anderson, Chairman  
John Gober, Member  
Lawrence Korzeniewski  
Michael Myszka, Member  
Steven Socha, Member  
Melvin Szymanski, Member

EXCUSED: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant - William Schutt & Associates  
George Pease, Assistant Building & Zoning Inspector  
John Dudziak, Deputy Town Attorney  
Mary Nowak, Recording Secretary

April 5, 2006

Planning Board Members: Stanley J. Keysa, Chairman  
Rebecca Anderson  
John P. Gober  
Lawrence Korzeniewski  
Michael Myszka  
Steven Socha  
Melvin Szymanski

Town Board Members: Robert H. Giza  
Daniel Amatura  
Mark A. Montour  
Ronald Ruffino, Sr.  
Donna G. Stempniak

Engineering Consultant: Robert Harris, William Schutt & Associates

Deputy Town Attorney: John M. Dudziak

Highway Superintendent: Richard L. Reese, Jr.

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held April 5, 2006. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa  
Planning Board Chairman

SJK:mn

Meeting called to order by Chair Keysa at 7:35 PM. Motion was made by Steven Socha to approve the minutes from the March 15, 2006 Planning Board Meeting. Motion was seconded by Michael Myszka and unanimously carried.

#### PLEDGE OF ALLEGIANCE

Administrative - Chair Keysa introduced Robert Harris who will be representing William Schutt & Associates as the engineering consultant for the Town of Lancaster at both Planning Board and Town Board meetings. Mr. Harris told the Planning Board that he has been an engineering consultant for twenty-five years, and that he has been with William Schutt & Associates for the past two years. Chair Keysa told Mr. Harris that as engineering consultant he is expected to review all projects in advance of the Planning Board meetings, specifically the drainage issues.

## **ACTION ITEMS -**

**CONCEPTUAL SKETCH PLAN REVIEW - SOUTH SIDE OF COMO PARK BOULEVARD, BEHIND THE POST OFFICE, 88 SINGLE-FAMILY HOMES. A REZONE WOULD HAVE TO BE APPLIED FOR PRIOR TO SKETCH PLAN REVIEW. PROJECT NO. 5212. CONTACT PERSON: GLENN F. THORNTON, THORNTON ENGINEERING.**

Ralph Lorigo, Attorney representing owner Theodore Kulbacki and Glenn Thornton, Thornton Engineering presented to the Planning Board the conceptual sketch plan for 88 single-family detached homes on 15.93 acres of land behind the Post Office on the south side of Como Park Boulevard. Mr. Lorigo told the Planning Board that this land consists of five separate parcels of land owned by Theodore Kulbacki. The plan shows a 50-foot right-of-way parallel to and west of Penora Street that will remain greenspace as a buffer. The north entrance to this development will be off of Storer Road, and the south entrance will be off of Wendell Street. Mr. Lorigo stated that the owner has title to the property for both ingress/egress locations. This development will have private roads and private utilities. It will also have a homeowners association. Lot sizes will be about 45' X 80' with affordable housing in the price range of \$140,000 to \$180,000. The homes will be owner occupied and will have no tax advantages. Drainage - The plans show stormwater management at the northwest corner of the development, since the natural drainage for this land is to the northwest. Chair Keysa stated that the stream that runs through this property is highly constricted. Mr. Thornton said that the stream would be re-routed with separate stormwater management. Roads - Chair Keysa stated that the standards for the roads in this project would be the same as the standards for the roads in the Pleasant Meadows Patio Homes development. The 18-foot minimum setback requirements from the sidewalk to the garage must also be the same as the Pleasant Meadows Patio Homes development. Sidewalk width must be the 5-foot standard. Lot sizes will be subject to further review.

**SITE PLAN REVIEW - PROPOSED SIX MINI STORAGE BUILDINGS, 65,775 SQUARE FEET. LOCATED ON WEST SIDE OF GUNNVILLE ROAD, NORTH OF THE NEW YORK STATE THRUWAY. PROJ. NO. 0306. CONTACT PERSON: ERIC THOMANN**

David Carr and Eric Thomann presented to the Planning Board the site plan review for 6 mini storage buildings on the 4-acre parcel on the west side of Gunnvile Road, north of the New York State Thruway. Mr. Carr stated that this will be a two-phase project. The first phase will consist of leveling the parcel, adding fill as needed, and the construction of the first mini storage building. The second phase will consist of the construction of the remaining mini storage buildings. When completed there will be just under 300 storage units. The existing driveway will be used for access to this project. The plan shows a fence around the entire parcel. Mr. Carr stated that the fence will be chain link. Access to the property will be through an electric gate by using a code. This will be strictly indoor storage with no outdoor storage allowed. Lighting for this project will consist of wall pack lighting on the buildings. No dumpster is shown on the plan. Mr. Thomann stated that no garbage or debris will be allowed to be left outside. Since vehicles will be pulling in and out of this facility, the Planning Board stated that an oil/water separator will need to be installed on the drainage system. Chair Keysa also stated that this is an archeologically sensitive area within the Town and that the applicant will need to contact the New York State Office of Historic Preservation regarding whether a study needs to be done.

## DETERMINATION

Based on the information provided to the Planning Board, Melvin Szymanski made a motion to recommend approval of the site plan to the Town Board with the following conditions: 1.) Applicant to consult with the New York State Office of Historic Preservation regarding archeological sensitivity. 2.) Oil/water separator to be installed on drainage system. 3.) No outdoor storage allowed. Motion seconded by Rebecca Anderson and unanimously carried.

REZONE PETITION - GENESEE STREET - PROPOSED ZONING GENERAL BUSINESS (GB), PRESENT ZONING RESIDENTIAL COMMERCIAL OFFICE (RCO) AND RESIDENTIAL (R-1). DEVELOPER IS PROPOSING TO CONSTRUCT A MINIATURE GOLF COURSE. CONTACT PERSON: RON SUROWICK, DEAN SUTTON ARCHITECTS, LLP

Mark Dean, Dean-Sutton Architects presented to the Planning Board the rezone petition for the proposed construction of a miniature golf course at 5352 - 5354 Genesee Street. The plan shows the miniature golf course adjacent to the existing golf course. Improvements will be made to the two existing buildings on this property. One building will be an ice cream stand. The other building will be converted into a restaurant at some time in the future. There will be no arcade games. The off street parking shown on the plan will not significantly change the existing parking for the golf course. The plan shows a fence between the miniature golf course and the street. The setback is 23.5 feet from the street. There was some discussion regarding whether the minimum setback requirement is 25 feet. An opinion from the Town Attorney's office will be required regarding the minimum setback for the fence. Hours of operation of the miniature golf course will be 9:00 AM to 10:00 PM seven days a week. Member Szymanski expressed concern regarding noise from the miniature golf course on Sunday mornings since there will be church services held at the church next to the miniature golf course. A motion was made by Steven Socha to recommend approval of the site plan to the Town Board and was seconded by John Gober. Chair Keysa asked for a roll call vote:

Chair Keysa - No	Michael Myszka - Yes
Rebecca Anderson - No	Steven Socha - Yes
John Gober - Yes	Melvin Szymanski - No
Lawrence Korzeniewski - No	

Motion to recommend approval of the rezone was not carried.

## DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Melvin Szymanski to recommend denial of the rezone to the Town Board. Motion was seconded by Rebecca Anderson. Chair Keysa asked for a roll call vote:

Chair Keysa - Yes	Michael Myszka - No
Rebecca Anderson - Yes	Steven Socha - No
John Gober - No	Melvin Szymanski - Yes
Lawrence Korzeniewski - Yes	

Motion to recommend denial of the rezone was carried by a vote of four ayes and three nays.

SITE PLAN REVIEW - MICHAEL & MARK ALBERTI, ERIE STREET. STORAGE BUILDING (42 X 171) FOR RENTAL SPACE (7,182 SQ.FT.) AT THE EXISTING ALBERTI LANDSCAPING FACILITY ON ERIE STREET. PROJECT NO. 3215. CONTACT PERSON: SUSAN KING, CONSULTING ENGINEER.

Chair Keysa recused himself as Chair for this project since he is representing the applicants in legal matters. Vice-Chair Rebecca Anderson acted as Chair for this project.

Susan King, Consulting Engineers and Michael Alberti presented to the Planning Board the site plan review for the proposed storage building to be built at the existing Alberti Landscaping facility on the south side of Erie Street east of Cemetery Road. The plan shows an additional building with twelve additional parking spaces behind the proposed building. The building will be used for storage, and no water service or sewer service will be needed. The plan does not show a dumpster. Mr. Alberti stated that any garbage that is generated is taken away by the rental customers. No garbage is left onsite. Landscaping - The Planning Board referred to Com. 04/05/27 from Crew Chief Terrence McCracken requesting that the eight spruce trees planted on the site north of the pond and west of the driveway be plotted on the site plan. He also requested that the Planning Board make a condition of approval that the plantings are not to be moved or removed from the current location. Furthermore, should these trees die, they are to be replaced. Councilmember Donna Stempniak stated that the site plan presented to the Planning Board this evening was not the same as the one that had been given to the Planning Board, and the plan presented to the Planning Board at this meeting was embarrassing. A revised site plan showing the correct placement of the proposed building and parking area with a landscaping plan will need to be prepared for the Town Board.

## DETERMINATION

Based on the information presented to the Planning Board, Michael Myszka made a motion to recommend approval of the site plan to the Town Board with the following conditions: 1.) Applicant to provide landscaping plan showing the 8 spruce trees planted on the site north of the pond and west of the driveway. 2.) Applicant to provide revised site plan showing correct location of building, parking area, and landscaping. 3.) Proper size of retention pond to be reviewed and approved by Town Engineering Consultant. Motion seconded by Steven Socha and duly carried with Chair Keysa not voting.

## OTHER MATTERS

Chair Keysa stated that he would not be able to attend the next Planning Board meeting on Wednesday, April 19, 2006. John Gober and Steven Socha will also not be in attendance at that meeting. Chair Keysa reminded the Planning Board that if any of the four remaining Planning Board members are unable to attend the meeting on April 19, they will not have a quorum and the meeting will need to be cancelled. They will need to let Rebecca Anderson know as soon as possible, so that she can contact the Building Department and have the meeting cancelled and matters rescheduled.

At 9:20PM Lawrence Korzeniewski made a motion to adjourn the meeting. Motion seconded by Steven Socha and unanimously carried.

